

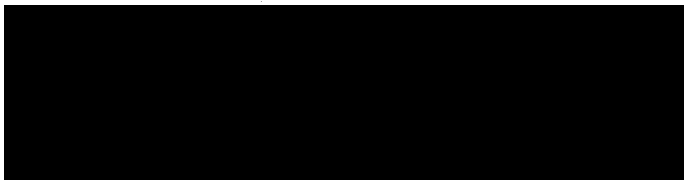
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U.S. Department of Homeland Security  
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FILE: LIN 03 257 53852 Office: NEBRASKA SERVICE CENTER

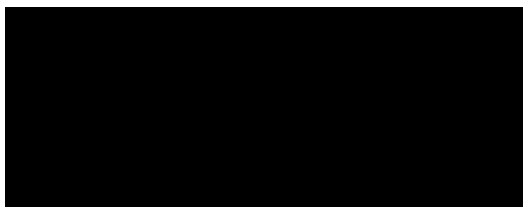
Date: DEC 19 2005

IN RE: Petitioner:  
Beneficiary:



PETITION: Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The employment-based immigrant visa petition was denied by the Director, Nebraska Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The petitioner seeks to classify the beneficiary pursuant to section 203(b)(2) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(2), as an alien of exceptional ability or a member of the professions holding an advanced degree. The petitioner seeks to employ the beneficiary as a chief operating officer. The petitioner asserts that an exemption from the requirement of a job offer, and thus of a labor certification, is in the national interest of the United States. The director found that the petitioner had not established that an exemption from the requirement of a job offer would be in the national interest of the United States.

On appeal, counsel notes that the director found the beneficiary exceptional, working in an area of intrinsic merit with a potential national impact. Regarding the director's basis of denial, counsel merely contradicts it, stating: "The evidence in the record further demonstrates that [the beneficiary] presents a national benefit so great as to outweigh the national interest inherent in the labor certification process." Counsel specifies that he is not submitting a separate brief or evidence.

As stated in 8 C.F.R. § 103.3(a)(1)(v), an appeal shall be summarily dismissed if the party concerned fails to identify *specifically* any erroneous conclusion of law or statement of fact for the appeal.

Counsel here has not *specifically* addressed the reasons stated for denial other than to assert the contrary and has not provided any additional evidence. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is dismissed.